

1 HOUSE BILL 535

2 **49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009**

3 INTRODUCED BY

4 Eleanor Chavez

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10 AN ACT

11 RELATING TO LOBBYIST REGULATION; REQUIRING THE ISSUANCE AND  
12 DISPLAY OF LOBBYIST IDENTIFICATION BADGES FOR REGISTERED  
13 LOBBYISTS; INCREASING THE ANNUAL FILING FEE FOR LOBBYISTS PAID  
14 TO THE SECRETARY OF STATE.

15  
16 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

17 Section 1. A new section of the Lobbyist Regulation Act  
18 is enacted to read:

19 "[NEW MATERIAL] LOBBYIST IDENTIFICATION BADGES REQUIRED.--

20 A. Upon the filing of a registration statement  
21 pursuant to Section 2-11-3 NMSA 1978, the secretary of state  
22 shall issue to each registered lobbyist an identification badge  
23 that shall contain in plain, bold and legible letters the word  
24 "Lobbyist" and the name of the lobbyist. The badge shall also  
25 contain in plain legible letters the year and the names of all

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1 of the lobbyist's employers. The secretary of state shall  
2 change the color of the badge each year.

3 B. Every registered lobbyist shall conspicuously  
4 display the identification badge on the lobbyist's clothing  
5 while in the state capitol during a regular session, special  
6 session, extraordinary session or interim committee meeting of  
7 the legislature.

8 C. The secretary of state shall collect a fee of  
9 ten dollars (\$10.00) for the issuance of a duplicate lobbyist  
10 identification badge."

11 Section 2. Section 2-11-3 NMSA 1978 (being Laws 1977,  
12 Chapter 261, Section 3, as amended) is amended to read:

13 "2-11-3. REGISTRATION STATEMENT TO BE FILED--CONTENTS--  
14 MODIFICATION TO STATEMENT.--

15 A. In the month of January prior to each regular  
16 session or before any service covered by the Lobbyist  
17 Regulation Act commences, any individual who is initially  
18 employed or retained as a lobbyist shall register with the  
19 secretary of state by paying an annual filing fee of [~~twenty-~~  
20 ~~five dollars (\$25.00)~~] thirty-five dollars (\$35.00) for each of  
21 the lobbyist's employers and by filing a single registration  
22 statement under oath on a prescribed form showing:

23 (1) the lobbyist's full name, permanent  
24 business address and business address while lobbying; and

25 (2) the name and address of each of the

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1 lobbyist's employers.

2 B. No registration fee shall be required of  
3 individuals receiving only reimbursement of personal expenses  
4 and no other compensation or salary for lobbying. No  
5 expenditure statement required by Section 2-11-6 NMSA 1978  
6 shall be required if the lobbyist anticipates making or  
7 incurring and makes or incurs no expenditures or political  
8 contributions under Section 2-11-6 NMSA 1978. The lobbyist  
9 shall indicate in [~~his~~] the lobbyist's registration statement  
10 whether those circumstances apply to [~~him~~] the lobbyist.

11 C. For each employer listed in Paragraph (2) of  
12 Subsection A of this section, the lobbyist shall file the  
13 following information:

14 (1) a full disclosure of the sources of funds  
15 used for lobbying;

16 (2) a written statement from each of the  
17 lobbyist's employers authorizing [~~him~~] the lobbyist to lobby on  
18 the employer's behalf;

19 (3) a brief description of the matters in  
20 reference to which the service is to be rendered; and

21 (4) the name and address of the person, if  
22 other than the lobbyist or [~~his~~] the lobbyist's employer, who  
23 will have custody of the accounts, bills, receipts, books,  
24 papers and documents required to be kept under the provisions  
25 of the Lobbyist Regulation Act.

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1           D. For each succeeding year that an individual is  
2 employed or retained as a lobbyist by the same employer, and  
3 for whom all the information disclosed in the initial  
4 registration statement remains substantially the same, the  
5 lobbyist shall file a simple annual registration renewal in  
6 January and pay the [~~twenty-five-dollar (\$25.00)~~] thirty-five-  
7 dollar (\$35.00) filing fee for each of the lobbyist's employers  
8 together with a short, abbreviated prescribed form for renewal.

9           E. Whenever there is a modification of the facts  
10 required to be set forth by this section or there is a  
11 termination of the lobbyist's employment as a lobbyist before  
12 the end of the calendar year, the lobbyist shall notify the  
13 secretary of state within one month of such occurrence and  
14 shall furnish full information concerning the modification or  
15 termination. If the lobbyist's employment terminates at the  
16 end of a calendar year, no separate termination report need be  
17 filed."

18           Section 3. EFFECTIVE DATE.--The effective date of the  
19 provisions of this act is July 1, 2009.